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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/749,332	12/30/2003	Daniel F. Justin	13447.42	9889

7590 09/11/2007
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EXAMINER

SWIGER III, JAMES L

ART UNIT	PAPER NUMBER
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3733

MAIL DATE	DELIVERY MODE
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09/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Interview Summary	Application No.	Applicant(s)	
	10/749,332	JUSTIN ET AL.	
	Examiner	Art Unit	
	James L. Swiger	3733	

All participants (applicant, applicant's representative, PTO personnel):

- (1) James L. Swiger. (3) _____
 (2) Scott Woodbury. (4) _____

Date of Interview: 30 August 2007.

Type: a) ☒ Telephonic b) ☐ Video Conference
 c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
 If Yes, brief description: _____

Claim(s) discussed: 1, 12, 30 and 41.

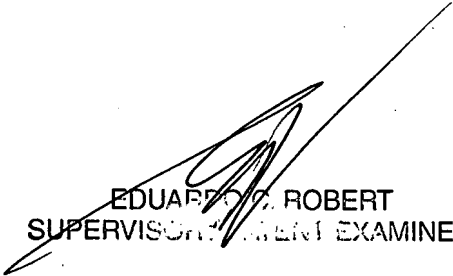
Identification of prior art discussed: Bourque (US Patent 5,163,940).

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.


 EDUARDO ROBERT
 SUPERVISOR/MENT EXAMINER

 8/30/07

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Representative for applicant requested clarification regarding the Non-Final rejection dated 7/9/2007. It was explained that the movement of the template was considered a functional limitation, as the Bourque reference has the ability to move in at least two orientations (a first and second) at least along the brace portion. With this movement, the reference could meet this limitation anywhere along the bar (22). Also, because the template and guide sleeve move with respect to one another, the axis would meet the template at a first and second location. It was suggested to further limit the claim to state that the template could move ONLY from an end of the brace portion, and not along it. Additionally the shape of the template was discussed. Regarded as an endpoint or support portion to meet the condyle, it was suggested that specifics as to dimensions or shape of the template with respect to the rest of the device (such as with the guide sleeve) more positively claim the invention. Further amendments may require additional search and consideration..

